THE

SECOND PART

OF

Ignoramus Justices:

OR

An Answer to the Scandalous

SPEECH

OF

Sir *W. S. Barronet*,

Spoken to the Grand-Jury at the Sessions of Peace held for the County of *Middlesex*, at *Hick's-Hall*, On Monday the 24 of *April*, 1682.

BIBLIOTHECA

TOGETHER

With several Remarks upon the Order of Sessions, *for the Printing and Publishing the same.*

The Second Edition Corrected, By the same Author.

London, Printed for *E. Smith*, at the *Elephant* and *Castle* in *Cornhill*. 1682.

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Sir *W. S. Barronet*,

I Will not long trouble the Courtious Reader with a Description of the Person that made this learned Speech, which is Sir *W. S.* And the very same Sir *W.* which heretofore (as I am informed) in the late Troubles was called Col. *S.* And though I love not to rake in Dunghills, or into the Lives and Actions of Men, at any time, much less after so long an Intervale yet because he himself hath been pleased to make the world so happy not only in the Publication of that Excellent Speech, but also told us in *p.* 4. that he feels the smart of *Goldsmith's*

and *Haderdaſhers Hall* to this day, it may not therfore be amiſs a little to give him a hint of his Piety, when he was in the Station of a Souldier, that as in a looking-glaſs he may view himſelf now being a Juſtice (and this is done as well to inform the world of the perſon and his zeal, for the Cauſe of God in times paſt, as now he pretends by his ſpeech both for the Cauſe of God and his *R.H.* for time to come, ſo learnedly interwoven with Scripture Phraſes, and larded with ſuch ſentences of elegant Latine) If this be the ſame *S.* that was called Collonel *S.* in the late troubles, he may remember and bleſs God for his great Converſion ſince that time, and if it be not painted Piety, that he now makes the world believe he hath, then he above all men, hath the greateſt reaſon in the world to admire the free grace of God in converting his bloody heart; for in thoſe dayes, and in cool of blood too, in the County of *Bucks*, he, like as wicked *Haman* did againſt the *Jews*, gave this Councel, to kill and deſtroy all the Gentlemen, Yeomen, Farmers, their Wives and Children, without regard either to ſex, age or condition, in that Country; for fear that there being many in that County, as he believed would be of the other ſide, when they had an opportunity, and ſo take part againſt them. Now if this be the ſame man, his nature is mightily altered, for now his Gaul goes no further, but that the Diſſenters Purſes ſhould pay that ſhot he has ſo elegantly manifeſted, and if the by ſtanders did not miſtake his words, he both ſpake and meant that the Diſſenters ſhould be proſecuted for their money, to help pay the Charge the King had been out, in the war with *Argier*, *&c.* and the building the 30 Ships, to ſave the Parliament a labour, which was a moſt ingenious contrivance; but more of that in its due place; But whether this be the ſame Coll. *S.* or not, yet I am fully aſſured, this is the very ſame Sir *W.S.* that the laſt *Weſtminſter Parliament*, was had before the Committee for ſtopping and hindring Petitioning the King for Calling of Parliaments, and therein abuſing that Law, he hath ſince owned by his late Abhorrencies, who was then heard to ſay, that he was falſly accuſed, for that he was ſo far (good man) from offering any ſuch violence to the Rights of the People and Parliaments, that he proteſted his Innocency with many more aſſeverations, than now in his Grand Speech, he doth his ſincerity of obedience to the King and the Laws; yet at that time, true Evidence tells us that the very ſame day, he made that ſo ſolemn Proteſtation of his Innocency, the very thing he was accuſed of before the Committee of Parliament, was moſt evidently proved againſt him, and had not the Parliament been Prorogued, he might have met with as ſevere a Cenſure by the Parliament, as now he is pleaſed in his Oration to wiſh and urge—for

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the Diſſenters; but more of this in its due place. And that very ſame Col. *S.* not many years after the War was done, when the tide was turned, was the chief promoter in the County of *Bucks*, and other places, to procure Addreſſes to *Richard Cromwel*, and was then the moſt zealous and forwardeſt man in that Service. A mighty great ſign of his Loyalty to our preſent King, by which it ſeems his Trade is Addreſſes. And the very ſame Col. *S.* did, as was moſt commonly reported, when he was Governour of *Cheſtow* Caſtle, for the King, find out a way to ſurrender, or rather betray the ſame to the *Parliament*, without blows, or force of Iron, or Leaden-bullets, *French* or *Engliſh* Crowns at that time being his Conquerour, the ſame Col. *S.* who was the Son of an Attorney, and being imployed either as Agent or Steward, to the noble Lady *Cleveland*, or *Wentworth*, being called to an account for high Miſdemeaners in that Truſt, and being proſecuted in the Court of *Exchequer* for the ſame, in the time when the late Lord Chief Juſtice *Hales* was one of the Barons of the *Exchequer*, the Baron having ſeen ſo much in that Cauſe, ſo evidently proved before him of certain Frauds uſed by him, gave this opinion of him in open Court: That it was pity the honour of knighthood ſhould ever be ſo blemiſhed, as to be beſtowed on ſuch a Perſon, guilty of thoſe foul things. Which that *S.* who ever he was, beſt knows what the good Barons reaſon was for ſuch Expreſſions. And I preſume, if any perſon would be further ſatisfied, whether it be the ſame Sir *W. S.* he may be informed from the Records there, and if it ſhould prove to be their Chairman of the Seſſions, then the world may ſee what a kind of Loyal Upright Perſon we have to juſtifie and adhere unto, as the worthy Order of Seſſions puts it, *Fal.* 11.

Theſe things ſhould not have been touched, although a deal more is due, had it not pleaſed the Juſtice ſo much to vindicate his uprightneſs and Loyalty. By this the Reader may ſee, the old cheat *Whores*, will always cry *Whore* firſt: but if theſe be the men which his Majeſty moſt relies on, and which makes this buſtle and ſtir with Loyalty, in procuring Addreſſes and Abhorrencies, in what a miſerable condition is that Prince that truſts them on their Loyalty, for can it be ſuppoſed that he that has addreſſed to *Richard Cromwel* one day, will not addreſs to the King the next, if that ſide be uppermoſt, and if to the King one day, why not to his Enemies the next day, if the wind change, for what hath been, may be, & if he cannot be faithful to a truſt repoſed in him, of a private Eſtate and Concernment as a Steward, certainly he is a very unfit man to be entruſted with a publick one: if theſe be the Conſcientious men Sir *William* eſteems, then *Libere nos Domine*.

But

But as to the Speech it self, in the first place his Title is transcendent, and far out does the common way of giving charges to Juries. For in the beginning he tells us, he hath had the Honour to discourse the Country from this Bench several times, well, what then? Why must it be a discourse instead of a charge. I never heard of a Grand Jury that was sworn to take notice of a Discourse, but the Oath of Grand Jury men is to present all such things as shall be given them in charge, as the Law directs. But what Sir *W.* means by entring into a discourse with them about other matters, especially about how much will build a Ship, & how much his Majesty hath laid out in the war with *Argier*, or to preserve *Tangier*, and against the *Indians* in *New-England*, as in *pag.* 2. is a most strange thing to be discoursed to a Grand Jury, unless he would perswade the Grand Jury to present the Parliament for not making up the damage, certainly that was his intent, though he will not make the Nation so happy as to speak it out.

Well but then still to the entrance into this discourse, pray observe the method, first seek peace (*good man*) that's his *aim*, witness his earnest endeavour to have Conventicles disturbed, though his Majesty and the Parliament thought it the best way to preserve peace, was to let them alone. for that it was never proved, nor can be proved, that ever since the Act of Uniformity, they that go to Conventicles, as he calls them, seditious Meetings, did ever disturb the Government, and if that be so, and that the only Church of *England* is that which is made by the Act of Uniformity, then sure Sir *W.* undermines and acts against his own Expressions, for if they were never unpeaceable, why is there all this ado to make a disturbance? but have patience, Sir *W. S.* by and by will tell you all.

Well then in the next place, *p.* 1. he tells us, That nothing procures wealth sooner than Trade, it is well observed, & if the Persons that are Traders, and the greatest Traders in the Nation, be hindred in serving of God according to their Consciences, and for this serving of God only as they in their Consciences believe they ought to do, without disturbing the peace of the Nation, must be torn in pieces, their Estates taken from them, and they put by their Trade, how shall the wealth of the Nation be preserved? If he could have found out an experiment for this, his discourse ought to have been writ in Letters of Gold, as well as repleniſh'd with Latin Sentences; well, but he goes on, nor will any thing secure it better than Unity. If so, Why then must the Neighbours of each others be forced to prosecute one another, to bring us into confusion?

Why

Why Sir *W. S.* tells you anon, and that is in plain terms, his ſenſe, tho not in words, the Nation can be better *Governed without Unity, than with it*: *For the Juſtice tells you plainly, that the King by his Wiſdom and Care, hath hitherto preſerved peace without the help of Unity*; for certainly (ſaith he) *no Nation can be more devided than this*: Well now, How will this agree together with what went before, which was, *That Unity and Trade was the only way to peace*; and yet now he tells us, *That the King hath a better way, for he can better Govern without Unity than with it, even twenty Years together.* So then the conſequence is, Unity may be good, but no Unity is better, or at leaſt he thinks our King is ſo indued from above, that it is all one to him to Govern with, or without Unity, well then, if it be ſo, the King hath Governed for theſe twenty years without diſturbance, though we are an United People and a Devided Nation, as this Chairman tells us, what is the meaning then of all this buſſel now about Conformity in point of profit to the King, when by his own ſhewing, the Government hath received no prejudice.

Well, but ſince Sir *W.* gives no better reaſon, pray let us gueſs his reaſons for once, and thoſe may be two or three, The firſt is, there wants mony to defray the publick charge, and to repay the King his own, *p.* 2. but that is but a pretence: the next reaſon the *Papiſts* and their Adherents would fain provoke the *Diſſenters* ſo far as to make them quarrel and rebel, a troubled water is the beſt for their turn, which they always live by, and if they could but once blow up the flame ſo high (which God forbid) then they have gained their full point which they have ſo long been aiming at both, of covering their own helliſh Plot, and the rooting out the Peſtilent Hereſy, as Sir *W. S's* Brother was pleaſed to term it, and could they catch the Fanaticks by this bait, not only them, but the whole *Proteſtant* Intereſt in *England* might be rooted up indeed and then the *Papiſts* takes the Poſſeſſion of their Lives and Eſtates all at once, which is the thing driven at, as appears by all the Proceedings, and manifeſt Declarations of ſeveral of our Parliaments, they were all of that mind, that the chief deſign of the *Papiſts*, was to ſet the *Proteſtants* together by the Ears, well foreſeeing that Device.

And therefore both Lords and Commons ordered bills to be brought in, to Unite the Diſſenting *Proteſtants* all in one againſt the common Enemy the *Papiſts*, and made applications to the King to ſtop all ſuch perſecutions as were acting againſt the *Diſſenters*. But a third reaſon is, the vexing and perplexing the *Proteſtants*, may be a deſign of tiring them out, and by threats and vexatious *Proſecution*; to ſee if they can be forced to yield up their Reaſons, and when made poor, that they may

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be the easier made slaves and be compelled to; if ever there should be an other Election of Members to give their Votes for such Persons as instead of keeping out of Arbitrary *Power* and *Popery* by Law, will bring it in by a colour of Law, and if men do but observe the Transactions for these twelve months past in divers Corporations. It cannot but be thought that this is one of the main designs now on foot. For a great man not long since openly declared that the Country was not yet fit to choose a Parliament, they had not smarted enough, and saith he, they are for Law, but replies to himself with an Oath, *they shall have Law enough*, that is, they shall have the form of Law, & tricks in Law, to make a specious pretence, but the designs is the easier to undo them: and this is the Law the Justice intends, tho he doth not speak it, which I gather from another passage from the same Sir *W. S.* at another Sessions, about nine or ten months ago. Councel coming to *Hick's-Hall* to move the Court where he sat Chairman then, that the Commission of *Oyer* and *Terminer* might be read, having something to move, which was not proper to be moved before it was read, it being for the making of a Request for the Prisoners then in the Tower upon the Statute of 31 of this King. And the Chairman as well as the Justices being aware of it, made an excuse to put it off till the Afternoon, which was only a trick, or in effect, a modest denyal, but when that time came, & the same request made, then another excuse was made, by the Justices, that though they had such a Commission, yet they heard there was a new one Sealed, and so they thought it not safe to execute it, but that being enquired into, was false; so by this trick the Commission was never read, and the Law was defeated, and the Justices so to elude the Law, used this trick, so those Persons who was then Prisoners in the Tower, were forced to loose the benefit of the Act that Sessions, which was made on purpose, that Justices & Judges should not dare but to deliver upon bayl, or try them as the law directed.

Well but saith the Justice and his Associates that are resolved to adhere to him (*p.* 11.) This is but one Instance, and in that the Justices as to the Law might be mistaken, it being a surprize upon them; for you hear the Justice himself in (*pag.* 21.) declares he knows not if it be against the Law or not, it is a sign Justice is come to a fine pass then in *England*; for certainly if he undertook that place of a Justice, he ought neither to pretend he knows not the Law, nor that he was surprised, for at that rate, the whole County may be ruined. Well, but to show Sir *W*'s wisdom, Justice, and Conscience further, and his impartiality in a Sessions, that was held before him, and the rest of his Adherents about *August* last past after the Grand-Jury was sworn, divers bills of Indictment were presented

ſented to the Grand-Jury, for to be found againſt certain perſons of moſt wicked fame, for Subornation, Perjury, and ſuch other Villanies as ſcarce ever was heard went unpuniſhed; for they were Bills againſt a pack of Conſpirators that had a deſign to have murthered divers Noble and Worthy perſons in this Kingdom by Perjury, and Witneſſes to prove thoſe Bills was produced to the Court to be ſworn, in order to give their Teſtimony to the Grand Jury againſt thoſe Villains; but this juſt upright Sir *W.* and his Aſſociates ſtopped it in open Court, in the Face of the Sun, and denyed the Witneſſes to be ſworn, till they had leave from the Attorney General; which certainly was the greateſt ſtab that ever was given to the Common Law of *England*, and a perfect turning and altering the courſe of Juſtice, making the Law ſubſervient, to protect the Guilty, and condemn the Innocent. This thing is of ſo high a Nature, that no King in *England* ever did or can attempt the ſame, or like it, publickly, whatever ſecret tricks may be underhand ſhewed: for this was not only to break the Grand Juries Oath, who are ſworn to preſent all without favour or Affection; and the Juſtices Oath, who are ſworn not to deny or delay Juſtice to any man; but forcing the King if poſſible, but at leaſt as much as in them lies, to violate and break his Coronation Oath, that ſacred Tye, and the fundamental Laws of the Land. And that I may not be ſaid to ſpeak without book, I ſhall here inſert a Copy of the Judges Oath, and give a ſhort touch of the fundamental Laws of the Land eſtabliſhed in this Kingdom, concerning the true Execution of Juſtice, and which the Kings of *England* are bound to obſerve by vertue of their Oath, and the truſt the people repoſe in them: and this digreſſion I hope will not be amiſs, before we come further to take notice of the Speech.

"The 27 Cap. of *Magna Charta*, (which *Magna Charta* is no "other than the Confirmation of the Ancient Rights, Cuſtoms "and Common Law of the Land,) It is ordained, *viz. No Free-man ſhall be Taken, or Impriſoned, or be Diſſeiſed of his Free-hold, Liberties, or Free Cuſtoms, or be Out-lawed or Excited, or any otherwiſe deſtroyed; nor we will not paſs upon him or condemn him, but by Lawful Judgment of his Peers, or by the Law of the Land.* Magna Charta, *Anno* 9. *H.* 3. Chap. 2

We will ſell to no man, we will not deny or deferr to any man either Juſtice or Right. Pray mark this laſt clauſe, and ſee how it ſuits the Juſtices refuſing and ſtopping Juſtice, and with what impudence he dares do that which no King of *England* did or can do without violation of his Oath, and *Laws* of the *Land*; and yet now tells you of 9. *H.* 3. 29.

Loyalty and Juſtice, and you will find in the Statute made in *Edward the* 3. time, that by no Commandment whatſoever the courſe of Juſtice could be ſtopped.

Vid. *Rot.* Anno *E.* 2. Chap. 1. The Title of the Act is this, *No Commandment under the Kings Seal, ſhall diſturb or delay Juſtice.* "Which Statute I ſhall Inſert "Verbatim, as it is upon the Roll, *viz. Item It is Accorded and Eſtabliſhed, that it ſhall not be Commanded by the Great Seal or the Little Seal, to diſturb or delay Common Right; and though ſuch Commandment do come, the Juſtices ſhall not therefore leave to do right in any point.*

See *Crook.* Fol. 417. *Liz.* There was another Record of 14 *Ed* 3. *Chap.* 14. Intituled, *There ſhall be but four Writs of Search for the King, nothing ſhall hinder the Execution of Juſtice.* In the laſt part of the Statute are theſe words, *viz. Nor that the Juſtices of whatſoever place it be, ſhall let to do the Common Law by Commandment, which ſhall come to them under the Great Seal or Privy Seal.*

Vid. 11 *R.* 2. *Cap.* 10. The 11 *R.* 2. Chap 10. the ſame is again Aſſerted, "That the "Law ſhall not be ſtopped or Diſturbed, and begins thus, *viz. Item, It is Ordained and Eſtabliſhed, That neither Letters of the Signet, nor of the Kings Privy Seal, ſhall be from henceforth ſent in damage or prejudice of the Realm, nor in diſturbance of the Law.* By this it appears moſt plain, that by no Command of the King or his Miniſters, the Law can be ſtopped: It is true, the King in ſome Caſes, may pardon by his Prerogative, but to ſtop the Courſe of Law, though you have the Command of the King or his Miniſters, is point blanck againſt the Law, and tends to the overthrow of the Government, and that very Law which the Kings of *England* by their places are the Executioners of: for this land in all ages never knew any Government, but by their own Laws, and to which Laws the Kings who are Crowned in *England* do ſwear, and ought, and muſt maintain; otherwiſe let him be what he will, and who he will, he tranſgreſſes that Law that made him ſo, and his Miniſters, Judges and Juſtices of all ſorts that either aſſiſt him in it, or Act by ſuch Commands, ſhall account to the people by the Law of the Land, and reckon one day for it to their coſt: For though it be a maxim in Law, *The King can do no wrong*, which is meant as to his Politick capacity, yet the Miniſters and Officers that act under the pretence of his command, if it be an unlawful Act they do, though they are commanded by the King to do it, it ſhall be no excuſe for them; for if the Kings Commands, or his Patents, be not according to the Law, they are Null and Void, and the Perſon that Acts by

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ſuch Commands, though he hath ſuch pretended Authority, ſhall be puniſhed for the ſame, with Life and Member as the crime deſerves. And therefore our wiſe Anceſtors foreſeeing the miſchief that corrupt Miniſters, and Judges about the King might bring upon the Nation, alwayes took care that within ſome convenient time a General Councel of the whole Nation ſhould meet for to judge of Matters, hear Complaints, redreſs Grievances, puniſh Evil Councellors, wicked Judges, Officers, and Offenders who had wronged the King and People by ſuch their foul practices, and pernitious Counſels; well foreſeeing, that in a Politick Body as well as in a Corporal Body, Diſeaſes and Scorbutick humours will ever be growing, and therefore muſt ſtand in need of good Phyſick and wiſe and honeſt Phyſitians to heal them, leſt the Diſeaſe grows incurable: And therefore in all ages we find that our Anceſtors took care that the People ſhould meet together at certain times; ſometimes twice in a year, and oftner if need required, as in King *Alfred*'s time: and the reaſon by the Records is given, To keep the people of God from ſin, and to do Holy Judgments, as you may ſee by our Law Books. See *Hornes* Mirrour of Juſtice, and my Lord *Cooks ſecond* part of the Inſtitutes of the Laws of *England*; the words of the Law are theſe, viz. *That a Parliament ſhall be called at* London *twice every year, or oftner if need be, to keep the People of God from Sin, that they might live in Peace and true Religion, certain Uſages and Holy Judgments.* Now of later years in *Edward* the thirds time, a Law was made that a Parliament ſhould be holden once a year and more often if need be. See the Statute of the 4 *E.* 3. *Cap.* 4. which ordains, *viz.* Item, *It is Recorded, that a Parliament ſhall be holden every year once, and more often if need be.*

Vid. *Hornes* Mirrour o Juſtice, Sect. 3. p 10. *Cook* and *Littleton.* fol. 110.

4 *E.* 3. C 14.

There is another Act made in the 36 *E.* 3. in theſe words, *viz.* Item, *For maintenance of the ſaid Articles, and Statutes, and Redreſs of divers Miſchiefs and Grievances which daily happen, a Parliament ſhall be holden every Year, as another time was Ordained by a Statute.* Now by theſe Statutes we may plainly ſee what is the Right of the Subject, and the Law of the Land? Why it is frequent Parliaments, to protect and preſerve the Nation, without which it is impoſſible for either the King or People to be ſafe from violence, oppreſſions, and incroachment of proud and inſolent men, which always was and ever will be deſigning to root up the Government, and the Peoples Rights, and get them into their own Clutches, under the diſguiſe of their ſerving the King in his own way. And if this be ſo, that both theſe laſt recited Laws be yet in force, which I am ſure neither the

36 *E.* 3 10.

wiſe Juſtice or any Judge of *England* that is a man of *Law*, can ſay they are not. And ſince we have been now without a Parliament above one whole year, ſure Sir *W.* in his Speech ought to have given ſome touch to the Jury, to preſent as a Grievance, and a Breach of the *Law*, the want of a Parliament, and it would have better befitted him than to have diſcourſed about the Effluviums of the Mouth, and Hoggs. And ſince we are governed by *Laws*, and our Kings are ſworn to maintain them, as we ſhall ſhew you anon, and that we are ſure our Kings receive the Crowns they wear from the *Law* of the *Land*; and that no King of *England* came into the world Booted and Spurred, ready prepared to ride the People to death, nor dropped from Heaven in a Cloud, nor yet riſeth in a night like a Muſhroom; but that he is the Ordinance of man, as St. *Paul* calls him, for their good: And that the Kings of *England* can deny their Subjects nothing in Parliament, that is for the publick welfare, as appears in the latter clauſe of the Statutes of Proviſoes made in the 25 year of *Edward* the 3*d*: And ſince the Juſtice is pleaſed to ſay *page* 1. *that it is high time to ſpeak plain Engliſh*, methinks he could not have ſpoken better Engliſh than this, that the want of a Parliament is the greateſt miſchief this Nation now groans under, eſpecially if his own words are true, that we are a miſerable divided people; what means can better be found out to unite and help us than the Parliament, where every mans complaint may be heard, and where the King is moſt powerful to Redreſs; which is no where ſo great as in the High Court of Parliament. But to juſtifie what I have before propounded, or rather aſſerted, that Juſtice cannot be ſtopped, either by the King, his Miniſters, or his Judges, on any pretence whatever, I ſhall here add to what hath been ſaid, a ſhort branch of the Statute of Proviſoes, and the Coronation Oath; which plainly ſhews that our Kings are ſo by Law, and not otherwiſe of Divine Inſtitution, than any other man in ſuch Station as God calls them to: for every man in his ſeveral calling, may be ſaid to be by Gods permiſſion and allowance, in ſome way or other, as much as Kings in their way of Government; which appears plainly by the Text the Juſtice hath named, to wit, *By me Kings reign*: But with his good leave, the Law chooſes them, or elſe they come by force and are Tyrants: and that will appear not only by the Records of our Engliſh Government, both in the altering and tranſlating of the Crown from one to another in all ages, by Act of Parliament, but in holy Record too: though we are not under the ſame Diſpenſation the Jews were under, yet the Scripture tells us they choſe and made their King. See the 2*d* of *Kings*, *Cap.* 17. *ver.* 21. The words are, *And they made Jeroboam Son of Nebat King*; and though the Prophet did annoint

25 *E.* 3. *C.* 1.

annoint *David* to be King, yet all the people met together to make *David* King, and ſo in divers other places: but I think *Jure Divino* is ſo far out of the caſe, that it would ſhew in the Author as much Ignorance to ſpend time to make Arguments about ſo vain and foppiſh an aſſertion, as it will be if the Juſtice ſhould the next Seſſions ſpend his time in his Diſcourſe of catching of Connies in a Warren he is well acquainted with.

In the Statute of Proviſoes, the Parliament there aſſerts theſe words: *viz.* "The Commons have prayed our Lord the King, that ſince "the Crown of *England*, and the Law of the ſaid Relam is ſuch, "that upon the miſchief and damages which happen to this Realm, "he ought and is bound by his Oath, with the accord of his Peo- "ple in his Parliament, thereof to make Remedy and Law, in re- "moving the miſchiefs and damages which thereof enſue; that it "pleaſe him thereupon to ordain remedy.

The King in the ſame Statute Anſwers the Prayer of the Commons, and ſaith, *By his Oath he is bound to it:* which Statute may be read at leiſure. To this plainly agrees the Kings Oath at his Coronation, *viz. Rot. Parliament.* 1 *H.* 4. *Num.* 17. *Forma Juramenti ſolit. & conſueti— preſtari per Reges Angliæ in horam Coronatione.*

Servabis Eccleſiæ Dei cleroque populo pacem ex integro & concordiam in Deo ſecundum Vices tuas.

Reſpondebit, Servabo.

Facias fieri in omnibus Judiciis tuis, equam Rectam Juſtitiam & Diſcretionem in miſericordia & veritate, ſecundum Vices tuas.

Reſpondebit, Faciam.

Concedis Juſtas Leges & Conſuetudines eſſe tenendas & promittis per te eas eſſe protegendas, & ad honorem eas Corroborandas quas vulgus elegerit ſecundum Vices tuas.

Reſpondebit, Concedo & Promitto.

Adjiciantque puldutis interrogationibus quæ juſta fuerint pronunciat iisque orbus confirmet Rex ſe omnia ſervatur ſacramento ſuper altare. Preſtito coram cunctis.

By which Oath we may perceive the Kings of *England* are bound to keep all Laws, and to grant, fulfill, and defend all rightful Laws which the people of the Realm ſhall chooſe, and to ſtrengthen and maintain them; the Chancellor and Miniſters about him are ſworn to give him true and faithful advice, the Judges are ſworn to adviſe the King in point of Law, and to Adminiſter the Law indifferently between the King and his Subjects, which Oath begins thus, *viz.* "An Oath of the Juſtices,

"being

"being made in the year of *Edw.* the 3*d*, in the year 1344. Ye ſhall "ſwear, that well and lawfully ye ſhall ſerve our Lord the King, "and the people in the Office of Juſtice, and that lawfully ye ſhall "Counſel the King in his buſineſs; and that ye ſhall not Counſel "or Aſſent to any thing which may turn him in damage or diſher- "ſion by any manner, way or culler, and that ye ſhall not know the "damage or diſherſion of him, whereof ye ſhall not cauſe him to "be warranted by your ſelf or by other, and that ye ſhall do equal "Law and Right to all his Subjects, rich and poor, without have- "ing regard to any Perſon; and that you take not by your ſelf or "by others, privately, or apertly, gifts nor rewards of Gold "nor Silver, nor of any other thing which may turn to your pro- "fit, unleſs it be Meat or Drink, and that of ſmall value, of any "man that ſhall have any Plea or Proceſs hanging before you, as "long as the ſame Proceſs ſhall ſo be hanging, nor after for the "ſame Cauſe; and that ye take no Fee as long as ye ſhall be "Juſtice, nor Robes of any man, great or ſmall, but of the "King himſelf, and that ye give no Advice or Counſel to no man, "great or ſmall, in no caſe where the King is party; and in caſe "that any, of what Eſtate or Condition they be, come before you "in your Seſſions, with Force and Armes, or otherwiſe againſt "the Peace, or againſt the form of the Statute thereof made, to "diſturb Execution of the Common Law, or to menace the Peo- "ple, that they may not purſue the Law, that ye ſhall cauſe their "Bodies to Arreſted, and put in Priſon, and in caſe they be "ſuch that ye cannot Arreſt, then that ye certifie the King of their "Names, and of their Miſpriſion haſtily, ſo that ye may thereof "ordain a conveneable Remedy: And that ye by your ſelf, nor by "others privily or apertly maintain any Plea or Quarrel hanging "in the Kings Court or elſewhere in the County: And that ye de- "ny no man common Right by the Kings Letters, nor no other "mans, nor for none other Cauſe: And in caſe any Letters come "to you contrary to the Law, that ye do nothing by ſuch Letters; "but certifie the King thereof, and proceed to execute the Law, "notwithſtanding the ſame Letters: And that ye ſhall do and pro- "cure the profit of the King and of his Crown, with all things where "you may reaſonably do the ſame: And in caſe ye be from henceforth "found in default in any of the points aforeſaid, ye ſhall be at the "Kings Will, Body, Lands and Goods, thereof to be done as ſhall "pleaſe him: As God you help, and all Saints.

Now

Now having given you the Oaths, as the Law hath ſettled it, I ſhall add one Statute more to ſhew how careful and diligent our Anceſtors were to preſerve this Nation from Arbitrary Power, not only in the King, but alſo in Judges and Officers, that we might not be enſlaved and oppreſt by the Judges, under a colour and pretence of Law: And that is the Statute of 20 *E.* 3. The Title is, *viz. The Juſtices of both Benches, Aſſizes,* &c. *ſhall do Right to all men, take no Fee but of the King, nor give Counſel where the King is party.* 20 *E.* 3. cap. 10.

"Firſt, We have commanded all our Juſtices that they ſhall from "henceforth do equal Law and Execution of Right to all our Sub-"jects, Rich and Poor: without having regard to any perſon, and "without omitting to do right for any Letters or Commandment "which come to them from us, or from any other, or by any "other Cauſe: And if that any Letters, Writs or Commandments "come to the Juſtices, or to others deputed to do Law and Right "according to the uſage of the Realm, in diſturbance of the Law or "of Execution of the ſame, or of Right of the Parties; the Ju-"ſtices and others aforeſaid ſhall proceed, and hold their Courts "and Proceſs where they pleaſe, and matters be depending be-"fore them, as if no ſuch Letters, Writs, or Commandments "were come to them: And they ſhall Certifie Us and our Council "of ſuch Commandments which be contrary to Law as aforeſaid: "And to the Intent that our Juſtices ſhall do even Right to all peo-"ple in manner aforeſaid, without more favour ſhewn to one than "to the other, We have ordained and cauſed our Juſtices to be "ſworn: That they ſhall not from henceforth, as long as they "ſhall be in Office of Juſtice, take Fee nor Robe of any man, but "of our ſelf, and that they ſhall take no gift or reward by them-"ſelves, nor by others privily or apertly, of any man that hath to "do before them, by any way, except Meat and Drink, and that of "ſmall value: And that they ſhall give no Councel to great men "or ſmall, and in Caſe where we be party, or which do or may "touch us in any point: Upon pain to be at our Will, Body, Lands, "and Goods, to do thereof as ſhall pleaſe us, in caſe they do contra-"ry.

Here is another Record of *Parliament* in the 11 *H.* 4. worth taking notice of, which is not in *Engliſh*, *viz.* Vid. Rot. Par. 11 *H.* 4. Nov. 28.

Item, Que nul Chancellor, Treaſurer, Gardein del Privy Seal, Counſel a le Roy, Serjeant a Counsel del Roy ne null auter Officer, Judge, Miniſter le Roy, per nants fees ou gages de Roy pour lour ditz Offices

ou

ou Services preigne en nul manner en temps a venner aſcun manner de done ou brecage de nulluy pur lour ditz Offices & Services afair ſur peine de reſponder ou Roy de la treble que eſſent preignone & de ſatisfice & pungs al volunt le Roy & ſoit diſcharges de ſon Office, Service & Councel per toutz jours & quet heſcan que volera purſuer en la dit matter & laſcule civien per le Roy come pur luy meſme & eit la treice part del ſomm de que la party eſt duement convict, &c.

Having given a little touch of the Old Law, and what our Rights are, I ſhall now return to our Speech-maker. In *page* 1. he tells us, we are divided in two Churches, the Church of *England*, and the Anti-church, which are the *Diſſenters*, and that of all ſorts; and to be playing with the Scriptures, he calls the *Diſſenters* Devils, nay Legions of Devils. Why truly a man might have expected as fair quarter from a *Turk* or the *Indians*, nay from the *Papiſts* themſelves, for they do but account the *Proteſtants* of all ſorts, *Devils*. And why Sir *W.* ſhould ſo far oblige them who himſelf hates a *Papiſt*, is very ſtrange. But by this the *Diſſenters* may ſee the Juſtices of *Middleſex* Chriſtianity towards them, whatever the King and Parliaments opinion of them was a little before.

Well but in the next place, he tells us the reaſon why he eſteems them ſo, and that is, *One of them obey the King and his Laws, and the other do not, which are the* Diſſenters; theſe Devils, and well may he term them ſo, for he tells us that *they torment the Government*; in the next place he tells them they diſhonour the King, and defame his Government by thoſe Pamphlets which go about the Town, in which certainly the Juſtice read his Name, or elſe he would not have condemned a whole Body of Men, or a Legion of *Diſſenters*, (for they are many) for writing of Pamphlets; when it is not, I dare ſay, in his power to prove that any one *Pamphlet* he means was ever writ or publiſhed by a *Diſſenter* from the Church of *England*, Eſtabliſhed by *Law*: Now if the Juſtice will here undertake to condemn me without proof, and ſuch a number of Men; why then I muſt take leave to ſay, It is ſomewhat like their late Warrants ſent out to ſummon in Conſtables to turn Informers, and when the Conſtables did not approve of that Imployment, were for their Diſobedience bound to the Good behaviour, and fined Twenty pounds, which afterwards was loſt when a *Certiorari* came.

But

But yet ſome further Anſwer ought to be given as to the Diſſenters tormenting the Government, he cannot I am confident ſhew in what any of them do torment the Government, unleſs it be in not going to Church: Pray ye, Mr. *Juſtice*, and if it ſhall pleaſe you, how can that be ſuch a torment to the Government now, more than it hath been all other times? hath the Government any loſs in the Revenue by it, or any wounds given? Or is it the tender Conſcience of the 26 Biſhops that is ſo tormented for the ſouls of theſe poor, miſerable Diſſenters? if there be nothing elſe in the wind, no Rebellion nor Theft, nor Murder, why then where is the great torment to the Government? Do any of the Diſſenters break the Laws more than the Churchmen? Do not the Churchmen break more? If ſo many, for inſtance, and if it ſhall like your Worſhip. Firſt it is true, the Diſſenters are ſtubborn Raſcals, ſome of them at leaſt, they will pray for themſelves, and in their own way, and worſhip God according to the written Word, as near as they can go, and will not come to Church. Now it is granted, in doing of this they break the Act of Uniformity; to ballance that, you Mr. *Juſtice* knows that many of the Church of *England* Loyal men, as good as ever piſſed, will be drunk ſometimes, and pretty often in a week, now ſet one againſt the other, if you pleaſe: Then the Diſſenters break another Law, they go to Meetings, contrary to another Act; well, but you know, Sir, ſometimes they pay dear for it, as people ſay at *Briſtol*, &c. But if that do not ſerve turn, there are many of the Church of *England* good Loyal men, will ſwear and damn moſt confoundedly ſometimes, which is expreſs againſt the Act, and the Law of Chriſtianity too: now Sir here is a *Rowland* for your *Oliver*: and methinks the Juſtices of *Middleſex* might have been ſo conſciencious as to have diſcourſed ſomething of the breach of theſe Laws, as well as altogether upon the poor Diſſenters. There is another Law the Diſſenting Miniſters break, which is the Act for living within five miles of a Corporation; to anſwer that, the Conformiſts, notwithſtanding the Act of Non-reſidence at their Pariſh Church, yet many of them Loyal Churchmen ſcarce ever come at it, except for their Tythes. Now Sir, I would have you give me leave to tell you one plain and homely ſtory, and ſo end the firſt Page. There was a Wench in *Ireland*, had been with a Prieſt at Confeſſion, and being there, freely uncaſed her ſelf of all her ſins to the Prieſt, which proved very great ſins, and ſomething aſtoniſhing to the good man, the firſt was, ſhe confeſſed ſhe had been a great Thief, the Prieſt replyed that was very bad and a great ſin, but ſaith ſhe, I gave ſo much money to the poor afterwards, with which the Prieſt put that to that, the next was, ſhe had been

a great Whore, whereat the Priest started being amazed thereat: but said she, oh Sir, but I did such a Pennance such a time, and fasted so long; well then said the Priest put that to that: another sin whereof she confessed her self guilty, was the wronging of her Parents, which was a bad sin too; but said she, my Father and Mother were Hereticks: well then said the Priest put that to that. The next day the Priest coming again to see his child, and asking her how she did, she replyed smilingly, well I thank you Father, she still smiling at him occasioned by a wart the Priest had upon his Nose, and he being urgent to know the cause of her smiling, she at last, after craving his pardon, with a promise not to be angry with her, told him, Sir you have a wart upon your Nose, I faith he, so I have, and I have another upon my Ar——, put that to that, Sir, as you did yesterday. But now I the hope Courteous Reader will pardon this slip, though I leave Sir *W.* at his pleasure. In *page* 2*d.* Sir *W.* tells the Jury, that the Conventiclers had abused and reviled those officers and others who in obedience to their Commands have endeavoured to put the Laws in Execution: if the Dissenters have done so, they are highly to blame; but if neither himself nor all his fellow Justices can shew wherein they have so abused or reviled them for doing their duty, sure then the Dissenters have great cause to say Sir *W.* is not sure any of them hath so done, because he neither names the person that did the fact, nor wherein the abuse was done; some of the Standers by I am told was of opinion Sir *W*'s meaning was the Constables, and the Pamphlet called Order of Sessions was, what he meant, or the Answer to them: now if his worship would be pleased but to explain himself, both as to the persons and things he speaks of, he would highly add to his former merits; otherwise we are like to be in the dark still, notwithstanding his state of convallency.

But Sir *William* goes on *page* 2. the question he askes is, he would know of any sober thinking man, which of the two parties his prudence would invite him too, whether those under his Majesties, and the Laws Protection, or to that party which leads through Briars and Thornes, which I suppose he meanes to be the Dissenters, if so, then I must tell him that the Laws do equally Protect both the one and the other, and for him to start such a question under his favour, is no less then to tell the world that his Majesty will protect one and not the other, and since Sir *W.* is resolved to pun upon the honest plain Country Jury-men that hath not been used to be so accosted by such Rhetorick heretofore, it may not be amiss to fift this part of the Speech a little further: In this page, he tells the Country men of slippery places where they shall never be able

to

to ſtand their ground; but what ground he means, is kept ſecret, and therefore we can't gueſs at the meaning, which is ſuppos'd to be this Gentlemans Grand-Jury men, and all that hear me this day, I tell you I am a thinking man, I think of the times paſt when I was a Col. and how I behaved my ſelf in *Richard*'s time paſt, when I Addreſſed to him, ſwimming then with the Tide, I was ſafe, I ſcorned that pittiful thing called concience, I alwayes trod upon ſure ground, and in froſty, hard weather tho' the wind blew never ſo hard, yet I always ſheltered my ſelf under ſome penthouſe, though it was but a thatched Cottage; I would never deny my ſelf in any thing, but whatever *Richard*, who then Reigned *de facto*, though not *de jure*, did, yet I was the ſame to him as I pretend now to the King; and I ſtood by that means faſt, and by that meanes I ſtand faſt now, and ſo may you grand Jury-men, if you will but think on me, you never need fear treading upon Knives or Razors; for what ever Card turns up Trump; I have a Knave at all times ready, both in heart and hand: And therefore you thinking Grand Jury men, remember me, and be ſure to take care of ſelf-preſervation, and be obedient to me, and preſent theſe unthinking people that do not know their own ſafety: But to proceed in this, *Page 2d.* here is ſo much of excellent Variety, and depth of Wiſdom, that it ſeems wonderful, eſpecially if we conſider the State matters here in this page ſet forth, and that is, he not only tells us of the expence of money his Majeſty hath been at, as was before hinted, and the benefit like to accrew to Trade by the peace with *Algier*, and the *Turkey* Trade; but he ſeems to underſtand the whole ſeries of all the State affairs of the King, as a great and learned *Privy Councellor*; For he tells you that ſome had the impudence to report that *Tangier* was or would be ſold to the *French* King; how was it poſſible the Juſtice ſhould know that, except he were of the Cabinet Councel at home, or the *French* Kings Councel abroad? For he doth not ſay he heard it was reported to be ſold, or would be ſold, but that ſome had the impudence to ſay ſo, and this muſt be certainly to himſelf it was ſpoken, or elſe he deviſed it, for he cannot produce his Author: but that which may cauſe a further belief of his being a Courtier, and in the moſt deepeſt State of affairs, is his telling us in the ſame page, the very exact quantity of money the thirty Capital Ships will coſt more then the *Parliament* did give, which is thus; the King was forced to advance 100000 of his own money; now it is a very great wonder that this Juſtice in ſuch a capacity not being a Ship-wright, ſhould exactly know theſe things, if he be not either a *Privy Councel*, or one of the Treaſury: and that which makes it a wonder how he comes to know the exact charge is, that yet all the thirty

Capital Ships are not built, and ſome of them not ſo much as begun to this day. But I ſuppoſe Sir *W.* did not ſpeak from a Command he had, but to ſhew his zeal to raiſe the 100000 l. that would be wanting when the Ships were done, or rather that he might have one fling at the Parliament for being ſo abſurd as not to compute their Matters right, nor give money enough; for Sir *W.* always hath a good wiſh, or a good word, for the Parliament *ſince he was ſummon'd before the Committee.* Well, but now in the third page he tells us the whole Charge the King hath diſburſed, is about 800000 l. which ought to be paid him by the people for whom it was diſburſed; and that the Eſtabliſh'd Revenue will not ballance the neceſſary Charges of the Government; and where ſhall the accidental charge be born? I am confident the King never bid him put ſuch a queſtion to the Grand-Jury, for this reaſon, becauſe he well knows, they nor their whole ſingle County cannot do it if it were lawful for Loans, or Ship-money, or Privy-Seals to go about the Country again, as was done by the wicked enemies of the King and Kingdom heretofore, to keep off Parliaments, that they that had acted Roguery and Villany in the Intervals in the late King's Time, might not be called to account, which in all probability is the deſign of this Juſtice if he dare ſpeak out; and that he can mean no leſs, ſeems moſt plain; for what ſhould he elſe tell the Grand-Jury of ſuch things as theſe which they have no conuſance of in the leaſt: and for the Juſtices ſaying he hath heard in the Houſe of Commons that the Revenue will not defray the charges of the Government, it is moſt like he hath. For the Reader may pleaſe to remember, that Sir *W.* was one of that long Pentionary-Parliament which was always free of giving, what ſome of them was hired to give, as appears by the Votes of another Houſe. And may it not well be conjectured now from his experience he pretends in the Revenue of the Crown, as he ſeems to intimate to us, that either he is, or would be Lord Treaſurer, or at leaſt one of the Commons very ſhortly by this Speech, Howſoever, ſure, he cannot miſs of ſome great place of Truſt in the State, becauſe he likewiſe is pleaſed in this third page to tell us not only that the Subjects ought to part it with Intereſt and with thanks, but they had done it before now, if the Diſtractions and Differences that are among us had not prevented it; and wherein lay it upon the Conventicles being ſuffered; thus he hath hit the point certainly, and now we come to know what is the reaſon all of a ſuddain the Conventiclers and Diſſenters are diſturbed, which we never knew before; and that is, the King hath diſburſed a great deal of mongy, and the Diſſenters will neither pay it themſelves for the benefit they enjoy of the Conventicles, nor will let others pay it. If this be

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ſo, then 'tis no wonder at this eager proſecution, and this inciting Speech to ſtir up the Jurors; but how comes it to paſs it was not found out before, that the Conventicles hinder'd the King of his money diſburſed? Is it not known both to thinking and unthinking people, that when the greateſt Gifts and Sums of Money that ever was given the King that now is, there was as many Diſſenters and Conventicles as now, and that at all times they inſtead of hindering ſo a good a Work ever paid their ſhares very chearfully, witneſs the great Tax 2500000 l. at once, and 1200000 l. at another time in the Penſionary Parliament, and other Sums ſince. And for the venom and infection of the Conventicle Preachers as he is pleaſed to call them, it cannot be proved that they have ever preached or taught Sedition, either in thoſe Times, or now; much leſs to come within the compaſs of the Act the Juſtice ſeems to hint at, and the Act of the 17th of this King if there be any ſuch, was as much violated, then as ever it hath been ſince; and it doth not appear, nor can by any art the Juſtice can uſe, that ever the Diſſenters or Conventiclers did either preach or pray againſt Gifts and Grants of money to ſupply the King's Affairs, eſpecially when the good of the Nation required it. And without doubt thoſe Diſſenters and Conventiclers are, and ever were as ready with their Purſes to ſerve the King and Country as any of the Abhorrers ever were, or ever will be, notwithſtanding their Heroick expreſſions. But yet to bring in Popery, or ſupport Popiſh Deſigns, the Diſſenters will not whatever the Abhorrers may yield to. It is true, in ſome of the *Gazets* great promiſes and aſſurances, have been lately made, to ſtand by the King with their Lives and Fortunes, and their Purſes to be ever at the Kings Command: And not onely ſo, but have by their Abhorrences declared their Reſolutions to chooſe ſuch Members for the next Parliament as his Majeſty ſhall approve of. Now if theſe ſtubborn Fanaticks would have been ſo mannerly as to have done that too, then it is more than probable that all this proſecution againſt the Diſſenters in the Juſtices opinion might ceaſe too. And it cannot be any wonder that the Abhorrers ſhould promiſe to aſſiſt his Majeſty with their Purſes; for they have nothing to aſſiſt the him with, but what comes from the King either in Places or Gifts. Well, but after all tho'; ſometimes the Juſtice is for the Diviſions to be made up, that the King may be repaid with Intereſt, and therefore ſaith, it is high time to do it; yet that muſt not be done by giving any grains of allowance to the Diſſenters ſide at all, or to bear with their weakneſs in things indifferent, or to make any ſtep of compaſſion towards them in leaving off one ſmall Ceremony or ſin out of the Church of *England* to win them,

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no not for the whole World, and all the Diſſenters ſouls to boot, but the unity the Juſtice would ſeem to aim at is, that whatever the Churchmen of *England* ſay the Diſſenters muſt do, that muſt be done, or elſe ſtop their mouths; the Diſſenters infectious Breath will undo us all, and and give us the Plague, beſides want of money; therefore Inſtead of any condiſcention to them, ſtop their mouths with the Act of the 17th of this King, leaſt they grew too formidable. Here is the Union the Juſtice but now talked of in his third page; O rare charitable Juſtice and good natur'd man!

Well, but what if Sir *W.* ſhould be out in his Pollitick; that the way to Union, is to force it by devouring the Diſſenters by penal Laws; now I am apt to think he is out, if he will but give himſelf leave to recollect himſelf a little as to Hiſtory, both ſacred and prophane; and let him but ſhow in any one place that ever the force of the Civil Magiſtrate, or by any one force of Arms in the whole world in matters of Religion, it ever prevailed, or effected ſuch an end as Sir *W.* would make the world believe he aims at; the Scripture tells us, have a care leſt you be found fighting againſt God; and adviſes to let the Secrets as they were called by the Jews and the Phariſees in the Apoſtles Time alone; for ſaid a wiſe man among them then to the Councel, have a care what you do, if this be of God it will ſtand, if not it will ſoon come to nought: All that ye do againſt them will come to nought if they be of God; for Religion is neither to be played withall nor affrighted from; and it commonly thrives beſt when the Enemies of it do moſt induſtriouſly oppoſe it. God's Juſtice hath a longer reach Mr. *Juſtice*, than the fingers of the King, or the Temporal Law, more than you are aware of; therefore it may be that all your malice can amount to, will be ſo far from rooting up the Diſſenters, and ſtopping the mouths of their Teachers that it may rather increaſe than decreaſe; and it may be as far out of your power to hinder it, as it was once out of your power to keep *Richard Cromwel* in the Chair after you had taken ſo much pains in addreſſing him: And for your fear of the Diſſenters being formidable to the Government, as you ſay in this page, if they be ſo formidable in their help to ſupport the Government with their Perſons, and Purſes as heretofore they have been in Reſtoring His preſent Majeſty, then ſure there will be no great terrour upon the Government from them, be they never ſo formidable. And for what you are pleaſed to ſay they are a Herd of Swine, that when one being chaſed all the reſt go and condole, pray where is the evil of that, if it were ſo? but I have been otherwiſe informed that they are not ſo kind and natural one to the other,

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However ſince you have ſo compared them to ſwine, and ſince it is their nature, as you ſay, to condole one with another, when they are all chaſed, I wiſh that part of your Speech were true, that theſe Diſſenters will make your words good, and ſtand by one another in Righteous and good things, to oppoſe the wicked malice of their enemies, who daily watch, not only for their goods and eſtate, but for their blood too, could they have but an opportunity once put into their hands; which as is ſaid, you, and the reſt, Sir *W.* of your fellow Juſtices, were indeavouring after, when a Petition was by you preferred, that the Sheriffs of *Middleſex* might not be choſe by the City; could you Sir *W.* and the reſt of your crew, but have got that either by hook or by crook, you would no doubt have ſtopped all their mouths, having before ſettled your Evidence ready for the purpoſe. But Sir *W.* do but have patience and keep the *Iriſh* cattle together a little longer, and you do not know how fortunate you may be after Midſummer day next; and then have at the Beaſts at *Epheſus*, theſe unreaſonable Diſſenters that will not believe their Mother the Church, nor pin their faith upon the Crape-Gonorum: Thus our Barronet lays about him in this Page againſt theſe hoggs, beaſts and unreaſonable men, now is it not a pitty this Gentleman had not acted in Doctor *Sprat*'s place the other day, and *Sprat* in his; if it had been ſo, I am confident the Knight would have done more in the work of converſion by his Speech to the Artillery men, than the Doctor did for the word of the Apoſtle, and the very names of unreaſonable men and wild Beaſts would certainly have ſounded very ſweet to that Auditory, for the Doctor took all to be unreaſonable men that refuſed to dine with them that day, and yet dared to eat their dinner together the next day in another place than where the D. was. And if the Doctor had but ſpoke half ſo much as a Divine to the Grand-Jury about Hoggs and Religion, the Jury could not for ſhame but have believed him, becauſe he hath authority to ſpeak Scripture: But what authority the Juſtice had to ſpeak ſo to the Grand-Jury, when he was not in Orders, is not yet known; and it is well if the Church do not take him to task, for medling with that which did not concern him, and which indeed is another man's trade, and it was the Juſtice-trade, to have preached the neceſſity of buying words to ſuppreſs the Diſſenters, and keep their mouths ſtopped: well but before we leave this Page, we ſhall find out Sir *W's* Religion, I dare lay a groat on't; for he tells us in plain *Engliſh* now, what I did but ſuppoſe before, that he was once on the other ſide; for, ſaith he, there are not more unreaſonable men, than ſome we have in *England*. I have heretofore had an indifferent good opinion of the Diſſenters, I thought they had

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been as they pretended, a peaceable ſober ſort of People, and that they had deſired nothing but liberty of Conſcience, and Indulgence. So then once by his own ſhewing, he was of another mind then now he is? Well, what changed him in his diſcourſe in this place? it muſt be becauſe of the unreaſonable men that are in *England*; but he forgets to tell us who they are, and wherein it appears ſo; but if you believe himſelf, the unreaſonableneſs of ſome men, is the main reaſon that makes him now, not of the opinion he was before, and that ſerves him well enough for an excuſe. But how was he miſtaken about their being a ſober, quiet ſort of People? what hath altered his mind? have they been unruly or unquiet, more then himſelf, have they done any evil to the Publick now, more then they did before, when he had his good opinion of them? nothing of that can appear. But to be plain, in the 4*th. Page* he tells you what hath altered him; why it is his tenaciouſneſs that the Diſſenters aim at Dominion, and therefore he cannot have any longer a good Opinion of them, but ſtill this is but to excuſe himſelf by loading of others with ſuch untruths, as there is nothing the leaſt colour for it, nor was ever proved againſt them, unleſs he means by Dominion, that the Diſſenters will have the Dominion over their own Eſtates, and Families, and not ſuffer others to have it from them, without better Warrant from the Law then any this *Ignoramus* Juſtice can ſhew to the contrary; for the Diſſenters do think they may with as much Law and Juſtice defend their Liberties and Properties, as the Juſtice may find Law to compel them to conformity in point of Church Diſcipline. But now the Juſtice muſt have one flout or fling at tender conſciences in this *Page*, or elſe the fat will be in the fire, and no wonder at all, why he cannot let that alone, the reaſon may be becauſe he having loſt his, if ever he had one, is ſomething like the Devil, that hates man, becauſe he is in a better State then himſelf; otherwiſe ſure he would not mock and jeer at tender conſciences and liberty of conſciecnce, as if their were no ſuch thing left, but [illegible] was a piece of Pagentry like my Lord Mayor's ſhow, as he ſaith, to draw the Eyes of Spectators upon them. The Juſtice may know it is dangerous to meddle with Edge tools.

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But to proceed, the Knight tells us, *He met with a Pamphlet the other day, wherein he read a Ticket to a Feaſt at the two Halls.* The Pamphlet he means, I ſuppoſe, may be the *Gazette*, which fordids, under the pretence of Authority, the ſeditious Deſign of dining together at *Goldſmiths-Hall*, *&c.* in regard his R. H. was not to be there, or becauſe they intended to be merry without a Licence from the Court. Truly it was a horrible Deſign of thoſe Whigs, to offer to eat together, and give God thanks for Mercies, and not firſt conſult the Stars, or the Court at *Milky-Hall.* And that which more affrighted the Loyal Party was, there were no leſs than thirty odd *Affidavits* produced, or intended in due time; which made it appear, that all the Pye-cruſt was Walls, Batteries, and ſtrong Fortreſſes, within which were hid all ſorts of Warlike Proviſion-Blunderbuſſes only excepted. And moſt certain it is, this was the moſt deſperate Aſſociation that has been theſe many Years, fit to be abhorr'd in the next Return, when thoſe now upon the Wheel ſhall be ſpun out; for as the Juſtice tells us, *It is like the old Way of Aſſociating, or blowing a Trumpet before a War.* But the Ticket-feaſt at *Merchant-Taylors-Hall*, was not half ſo dangerous, thô the Text was, *Sell your Garments, and buy a Sword.* Nor had the Apprentices Feaſt, with the four Bucks, and the Tun of Wine, the laſt Summer in *Cheapſide*, any evil Intent at all, only a good Example for their Maſters, to Huzza, drink the Pope's Health, and bid defiance to their Maſters, ſo long as they were ſet on work by ſome of their Maſters Maſters, not to be named. Well, for the preſent be it ſo, till it can be better; however, ſober, thinking Men may remember theſe Things without offence, I hope, as well as the Juſtice the two Hall-Feaſts by Tickets.

Now in the fourth Page, he further tells us, *That this Aſſociating by Tickets is an old Way; it looks like blowing the Trumpet, and making Proclamation, (Who is on my ſide? Who?)* And by the Words which follow this Sentence, he makes it to be a *Corah's Rebellion*, which was, Murmuring againſt God. Therefore it ought to be conſidered, what ground there is for this ſevere Charge, as to its being an old way to Aſſociate by Tickets. Now it is true, every Year, not only the Loyal Artillery-Company do feaſt, and aſſociate by Tickets; but divers Citizens, who were born in ſuch and ſuch Countries, do alſo every Year by Tickets aſſociate together to feaſt, in remembrance of their County: And no notice was ever taken before, that ſuch a thing was Rebellion, or a Murmuring againſt God or the Government. But the Juſtice (I preſume) takes it, they may feaſt any where but in thoſe infectious Halls, or elſe he would not have condemned in one, what is often allowed to others.

Well, but there is ſomething more in it yet, and that is, The Ticket expreſſed, to thank God for delivering the King and Kingdom from Popery; and this was that which ſpoil'd the Feaſt. Beſides, theſe Men that were to be at it, had forgotten to invite the D. of *Y.* and were not for abhorring a Thing of Rags, or a *Chymæra* in the Air, of their own ſetting up. And for theſe Men to meet, was not to be born withall. But how it looks like Rebellion, is yet uncertain; therefore the Reader muſt ſee for himſelf, for at preſent we are in the dark. But the Juſtice, in this Page too, tells us, *It was a making of Parties.* He ought to have conſidered it well, before he had ſpoke ſuch unadviſed Words; for certainly, would he, and the reſt of his Aſſociates, but conſider how induſtriouſly they have laboured to make parties, by getting Adreſſes and Abhorrencies throughout *England*, not only againſt a Fiction of their own Brain, but againſt Parliaments themſelves, as moſt manifeſtly appears by the wording of their Abhorrencies: For thô they are ſo modeſt, as not to expreſs their abhorring Parliaments in Words at length; yet they have abhorred the Votes, Reſolutions, and Actions of the beſt, wiſeſt, and richeſt Parliament, that ever *England* had: And ſome of them not only grin at them privately, but have traduced them, as if the very Houſe of Commons were all Rebels themſelves againſt his Royal Highneſs. And thô thoſe Abhorrers, the moſt of them, have not dared to give the Houſe of Commons the Lie; yet ſome of them have told us plainly, *That they will never chooſe ſuch again, as ſhall act contrary to the Intereſt of his Royal Highneſs.* But that which ſhews theſe Fellows to be Knaves as well as Fools, is, They always bark and ſpit their Venom behind the Parliament's Back, which is a good ſure way; but never dare ſay any thing when they are ſitting, but, *Roger* like, run away. Yet let them have a care, there will come another Parliament, whatever theſe Fools are made to believe; thô it is not doubted, but thoſe that ſet them on work dare aſſure thoſe abhorring Raſcals, there never ſhall be any more Parliaments to call them to account, and that all is their own. But let ſuch know, it is this Nation's Right to have Parliaments, and a Parliament muſt come within three Years, by a Law made in this Kings Time, and they muſt ſit too, if theſe Abhorrers do not get Popery eſtabliſhed before that time, which thô they labour hard for, yet they may be deceived. But if a Parliament ſhould come, as certainly it will, then they that drew and contrived theſe Abhorrencies in Papers for them, will run away, and leave the Subſcribers in the Lurch, as *Roger L' Eſtrange* uſed to do: And then 'tis ten to one, but *Moſes*'s *Rod*, the Juſtice tells us of in this Page, *will ſwallow up the Egyptian Magicians Rods*, which have

have devoured and abhorred Parliaments, and their Proceedings; *and the King's Rod*, that the wiſe Juſtice would lay upon the Diſſenters Backs, may chance to light upon his own, and his Aſſociates.

But if the King and the Law, the Juſtice tells us *cannot reach thoſe ſubtil Men, Divine Juſtice may.* In anſwer to that, I ſhall only ſay this by way of Retort, That if we ſhould be ſo miſerable, as not to have our juſt Rights by Parliaments, the Divine Vengeance (I doubt not) will reach thoſe Villains, that have ſo eagerly laboured Night and Day, to unhinge the Government. For he that is againſt the Parliament, is not only againſt his own Right and Priviledge, but againſt the Foundation of our Government; and he that knows not that, I will adventure to pronounce him much more an *Ignoramus* than the Juſtice himſelf. But becauſe the Juſtice in this Page threatens the Diſſenters with *the Scepter*, he may know, that all Scepters are, or ought to be Scepters of Righteouſneſs, and to preſerve not to deſtroy the Innocent. And thoſe Diſſenters, whatever Opinion the Juſtice may have, think themſelves as little concerned in that, as the Juſtice himſelf, they having as much Reaſon on their ſide to be ſheltered under that righteous Scepter, as his Worſhip.

In the next place, it cannot be well paſs'd over, the Text of Scripture in this fourth Page the Juſtice quotes, that is, *The Children of this World are wiſer in their Generation than the Children of Light:* Which the Juſtice alludes to the Phanaticks taking one anothers Parts, and not buying and ſelling, or trading with any but their own Party: *Nay, they will*, ſaith the Juſtice, *have no manner of Commerce with the Church Party; and that is to ſet up a Common-wealth in a Kingdom, a moſt dangerous thing!* This is indeed a home Charge, and as much Falſhood and Malice appears in it, as ever was. But we know whom the Juſtice had this Sentence from, no other than thoſe Inſtruments the Jeſuits, whoſe Motto is, *Divide & impera.* And here the Juſtice hath moſt exactly followed their Counſel: For in what Terms could he have more fully ſhown his Intentions of dividing, than in aſſerting, that the Diſſenters will commerce with no Body but themſelves, and are ſetting up a Commonwealth in a Kingdom, without giving one Example, or Colour to prove ſuch a deſign in them? And it may be asked the Juſtice, Who it is can do more at one time to divide us, than ſuch a Speech? But why muſt the Diſſenters Trading together, and taking one anothers Parts, be a Deſign againſt the Government, more than of thoſe that call themſelves the Church-Party? Is it not as lawful for one as well as the other Sort, to trade with whom they will, and to eat and drink with whom

they pleaſe? If ſo, then it is moſt plain, the boaſting Church-Men do feaſt together often, and aſſociate themſelves in Clubs, Cabals, Taverns and Coffee-Houſes, and divers other Places both Sundays and Working-Days, to manage the Cauſe which the Juſtice aims at; and the Church-men in reality, as they would be accounted, (ſuch as they are) have in reality ſtuck by their Champion *Cradock* ſo far, that no leſs than two Knights, and four or five Eſquires and Gentlemen, to ſave their Brother *Cradock*, have joined together in a ſolemn Oath before the Judge, that the Earl of *Shaftsbury* doth live in *Thanet-houſe*, and is a great Trader in the City. I am confident, the Juſtice cannot ſhew us any ſuch voluntary Oath of Men of their Quality, that ever did ſo far take one anothers Parts among the Diſſenters, as to ſwear in Clubs.

So after the Juſtice had ſhewed the Diſſenters Dealings, of laying their Heads together in diſturbing the Peace, in the next place, *pag.* 5. he tells us in praiſe of the Church Party, and in oppoſition to the Diſſenters, that they (the Church Party) are good honeſt Men, in theſe Words, *viz. The Church Party, the Children of Light, they truſt in a good Cauſe, put out their own Eyes, and will neither ſee their Danger or Intereſt, moſt of them endeavour to build upon their own Ground, and raiſe to themſelves Pyramids of Honour and Riches, and have not minded them of the ſame Party, who are forced to ſhift for themſelves as well as they can.* Now I would have the ingenuous Church-Men conſider, what a great deal of Honour this Gentleman hath done them; he has, to vindicate them, called them blind Fools, nay, ſuch Fools, that no brute Beaſts can be worſe; what is it I pray you to them, to put out their own Eyes, and not ſee for themſelves, and when that is done, he tells us, it is the only way to get Riches. If this be the way of the Children of *Light* to put out their own Eyes, and truſt to others, I pray God, with all my Heart, that I may be in Darkneſs ſtill; and that this Child of *Light*, thô a Church-Man, may get Honour, and in his own way; for my part I will neither envy his, nor his Church-Men's Happineſs as to their Wiſdom, nor as to their Honour and Riches: but this I may ſay, that had the Church of *England-men* received ſuch a Vilifying, from a Diſſenter, as this, certainly they would have called loudly for Satisfaction, either from the Court Chriſtian, or our Temporal Courts: What, call them ſuch Fools! and treat them as ſuch as will pull out their own Eyes and not ſee! can the Church-Men forgive this? I dare not ſay they cannot, becauſe ſome of them are Men of great Charity, but were it not for that, doubtleſs ſuch an Affront as this, would be enough to raiſe the whole *poſſe* Clergy about the Knights Eyes; for in effect he calls them blind Papiſts, for none but thoſe poor deluded Souls, that

that ever live in the Light of the Sun, would rather truſt other Folks Eyes than their own.

Well, but what muſt not a Juſtice make a ſlip, but there muſt be all this notice taken! yes ſure, he may be allowed many when he means well: for in this whole Speech, if you obſerve it, and if you believe himſelf, *He doth ſay, and do, all for the Eſtabliſhed Church, and the Publick Good.* Now then, if ſo, he ought to have Mercy ſhewn him. In the next place, you will find he deſerves it too, becauſe the Diſſenters in this *page*, are made by the ſame Man, *Coblers, and nothing but their Laſt is their Coat*; and ſo fearful is he of them, *If*, as he ſaith, *the Cards ſhould be Shuffled again, that theſe Coblers will have all the Shoes, and himſelf go Bare-foot*; that he adviſes here in this Page, *That it is not prudent to truſt them, thô they are contented with their own Vertue*; a moſt ſtrange Paradox! what if they will be contented with their own Vertue, ſhan't they be let alone? it is mighty hard, eſpecially, when, in the next place, he himſelf commends Vertue as a choice Plant, or Tree that bears excellent Fruit; and ſaith he, *The Gardiners muſt nouriſh and cheriſh this Plant and Tree, or elſe in time this Tree will bear ſowre Fruit*: that is, I ſuppoſe, he means the Magiſtrate, and you Grand Inqueſt-men, you muſt Preſent theſe Diſſenters that we may get ſome of their Money, lop off their looſe Twigs, and Wild-Sprigs, that makes them too rich and too proud, and then their Fruit will be Savoury, ſuch as I like; for thô I like not the Men, yet their Money I like, and ſo do all their Enemies: but to quiet the Church, whom before he abuſed, he now makes them full amends again, for ſaith he in this *Page*, viz. *I hope for the Honour of the King, and Safety of the Government, no Man for the future ſhall be employed, untill he be firſt ſifted and winnowed, and if any Grain of Faction be found in him, he ſhall be laid aſide*: But then Sir *W.* What will you do, and your Addreſſers? Do you not remember, Sir *W.* the very day you made this learned Speech? when you and the reſt of the Tribe were withdrawn out of the Court, you propounded, or at leaſt abetted, one of the greateſt pieces of Faction that ever was done in *England* this 20 Years, except *F. H.* which was, It was urged among you Juſtices, to Addreſs His Majeſty, that he would be pleaſed to keep the Duke by him at home to joyn with him in the Government, or at leaſt to aſſiſt him therein? Pray Sir *W.* had you gone on in this Addreſſe, had it not been the heighth of Faction and Sedition, if not High-Treaſon, in deſigning to alter the Government? What are you in ſuch haſte, that you cannot ſtay the time, muſt Popery and Proteſtantiſm be joyned together in our days? Pray Sir, will you, before your next Speech, conſider it well: and thô you abhorr the Parliaments, becauſe they would

would have no Popiſh Succeſſor, yet methinks you ſhould not dig a Grave for our King and Government while he is alive: and what other conſtruction *ſober thinking Men* as you call them, can make of ſuch Deſigns, time may ſhew; but for your placing ſo much upon that Text, *By me Kings Reign, and Princes decree Juſtice*; I know not what you mean, unleſs you would by that Scripture inſinuate, that becauſe there is ſuch a place of Scripture, therefore the People ſhould have no Law of the Land to be their Standard, but the Will of the Prince to be abſolute, Lord Paramount, above all Laws, and no Bounds to be ſet by the Law of the Land: if ſo, our Anceſtors were Fools to make the Coronation Oath, and the good Statutes, with divers others before recited. But Sir *W.* all this you do to be Great, and by this it may be you may be ſo fond, as to believe you make the King great too, thô it be the quite contrary way; nay, ſuch Men as you that take away all Law, do totally leſſen both the Prince, the Nation, and the Government; for if the King have no better Title than his Sword, or the *Jure-Divino*-ſhip you ſpeak of, then *Lord have Mercy on him.* For you Sir *W.* by the ſame Rule, thô but an Attorneys Son, if you can but make your ſelf popular enough, and get a long Sword, caſed with a Pretence of a Divine Right, you may be King as well as any, only, I think, if you ſhould do ſo, and not make your Sword long enough, you may chance to find, that the *Jus Regnum*, would ſpoil your *Jure Divino.*

But to pleaſe you in ſomething, and not to thwart all your dark Sayings, ſo hard to be underſtood; we will for once, as you inſinuate, allow that Government is *Jure Divino*, and the Ordinance of God, but the Modes and Forms were ever yet left to Man, which in all Countreys whatſoever, have been chalked out by the People themſelves, for their Weal and Government. And if our ancient Records may be credited, no Nation under Heaven ever eſtabliſhed better Rules for Government, than this Kingdom hath done; for here, neither the Prince can by Law hurt the People, nor the People the Prince, and the *Law* is the Standard between them, and the Protector of both: which, ſure Sir *W.* you ought to have known, or at leaſt to have ſhown us, what Text of Scripture it is that eſtabliſheth our Kings in *England*, and gives them Authority above the *Law*; but when you have ſaid all, the Kingſhip of *England* is but an Office, and a Truſt repoſed in them by the *Law* of the *Land*, under your good Favour: And they are made Kings by Humane *Laws*, but to whom the Kings of *England* are accountable, I am not to queſtion, nor do I think it fit for you. And for your ſaying, *The King ought not to be importuned by the People, to do any thing which he knows is contrary to his*

his Duty and Truſt; I ſay ſo too: but how this will amend the Matter, or plead for your deſigning to join ſome Perſon with him, as was told you before, I know not; but by the Rule of Contrary, if the People ought not to importune the King, nor he to grant what is not juſt, as is clear they ought not; then ſure, both the People ought to importune the King, and he to grant them all that is Juſt and Right, and what by the *Law*, and his Sacred Oath he is bound to do. And then Sir *W.* I will take leave to tell you, and make your beſt on't, that the People ought in this imminent time of danger, both from your Friends the Papiſts at home, and the dangers from abroad, to importune the King for a Parliament, as their Right by *Law*, according to the Statutes of *Edw.* the *3d.* And if you are ſo conſcientious a Man, and mean for the *Law* and right Government of *England*, as you pretend, I do not doubt in the leaſt, but you will help forward ſuch a Petition; and ſince the Juſtice tells us, *That a Prince muſt be juſt againſt the importuning of his Subjects*; I hope Sir *W.* you that ſay ſo, will not be ſo unjuſt as not begin ſo good a Work, ſince you have ever had the knack of Addreſſing.

And now we are in the ſixth Page come to Sir *W*'s Hear-ſay, that is, *The King, I have heard, was preſſed to exclude the D. of* Y. *Pray*, ſaith the Juſtice, *examine the Juſtice of that? can it be juſt, ſaith he, to puniſh* in preſenti *for a Fault to be committed* in futuro? Divine Sir *William*! he muſt ſtill have a fling at the Parliament, it is as good *Leachery* to him to ſcratch there, as to be a ſtanding Stallion in another place: Well, but this is a grand Fault of the *Parliament* no doubt: What, puniſh a Man before he had committed any Fault, as he tells the Grand Jury! *Surely they would not find a Bill againſt any Man for a Fault that might be committed!* Now obſerve the cunning of this Abuſe that he would ſham upon the unthinking *People*, of a Wrong the *Parliament* was about; pray who was, or who would have been wronged if ſuch a Bill had paſſed? Althô for my own part, I ever thought there were other Bills more needful. Is it not ſtrange the whole Nation in a Body in three ſeveral *Parliaments*, could be ſo fooliſh and wicked, as not to ſee the Sin and Evil of this thing, as well as the Juſtice? and the Juſtice then ſaid nothing, nor was ſo kind to give his advice. But the Juſtice will miſtake the Caſe, he looks upon the Duke as in *Poſſeſſion*, and not as a Subject; and he looks upon the ſingle Subject, this one Man, to be of more value than all the Subjects Good and Welfare of *England*: and to put a blind upon the World, topes upon us the D's divine Right to be King here over us, and as natural for him to be our King as to do the Office of Nature. Now I always thought the Kingſhip of *England*, as is before hinted, is by the

Law:

Law of the *Land*, and no otherwiſe, and that every King in this Kingdom, is, or ought to be, the Supream Magiſtrate for the Peoples Good. But if a Prince be born a Fool, an Ideot, or become a mad Man, how can that Man be thought to reign for the Peoples Good? Now if ſuch a thing ſhould happen, may not the King and People, then in being altogether, as in all Ages they have done, chooſe another more fit to govern in that Office? Is there any Injuſtice in this? Is there any more than common Prudence? and would they be juſt to themſelves, if they ſhould do otherwiſe? Where is the Wrong to the mad Man? He is bereaved of his Senſes; muſt therefore the People be ſo too? And in all Ages hath not the Crown of *England* been ſettled by the King and Parliament? and have not Forreigners done the ſame? Witneſs the *Portugals*, they did not only put by a Subject, not fit to reign by his folly, but put by, and do ſtill to this day, their King, when in actual Poſſeſſion, becauſe of his Infirmities; otherwiſe they had ſinned againſt the very *Law* of Nature, for that teaches us ſelf Preſervation. But ſo much hath been ſaid already by abler Heads, as to this moſt ridiculous, nonſenſical Notion, that I thought no Man pretending to commom Sence, would have dared to have been ſo bold as to have mentioned ſuch a thing, or to arraign the Judgment of the whole Nation.

And now after the Juſtice hath thus ſpent the time in ranting, and beating the Air about this unjuſt Deſign of the Parliament; he comes in the next place with his Thunder-bolts to affright and terrifie the Parliament, and all other thinking Men, from acting according to their own Reaſon. For in the *7th Page* he tells the Jury, *viz. And it could not be expected that the Duke ſhould have ſat ſtill under ſuch an indignity; and if he had, the Princes of* Chriſtendom, *to whom he is allied, (and to many of the greateſt) would have taken up the Quarrel, and then our Fields of Peace ſhould have been turned into Fields of Blood.* So then the *Parliament of* England, *of which the King is the Head, muſt be afraid to provide for the Safety of the Nation againſt Popery and Ruine, becauſe one of the King's Subjects hath great Friends abroad, and will fight his Quarrel.* Sure ſhould a Phanatick have ſaid but half ſo much, he had been over head and ears in the *Crown-Office*, and well he might; What, muſt *England* be afraid to do right, and upon one of her own Subjects, becauſe of the Dukes Friends abroad? Certainly *England* was never ſo low and cowardly yet, as to fear to provide for their own Safety, for fear of the Princes abroad. Pray why did not *Portugal* conſider that? And why did not the *French* King at firſt ſend and adviſe with the Pope, before he cauſed to be confirmed and regiſtred, as lately, a Rule for the time to come in his Dominions, that the Clergy of *France* was an independent thing from that of *Rome*, and

that

that the Pope is not infallible. Doth the Juſtice think, that the King of *France* now did not run as great an hazard of the Popes and other Princes ill reſenting this, as we ſhould have done in *England*, if we in *England* had ſecured the Nation from a Popiſh Succeſſor. And for the Juſtice telling us, and putting us in mind of the Blood that was ſpilt between the two Houſes of *York* & *Lancaſter* in their difference about the Crown it is a moſt ſtrange thing that he hath no more Underſtanding in him, than to compare this of this Parliaments Actings about the Duke, which was the ſence of the whole Nation, with that of thoſe of *York* and *Lancaſter*, when all Stories tell us that the Nation in thoſe times was divided, and it was doubtful of whoſe ſide the Right was, and here in this Caſe the whole Nation all of one ſide, would have put the thing all out of doubt by Law, to prevent future Miſchiefs, this Parliament did intend; and ſo far are theſe two Caſes different, that the Parliament foreſeeing ſuch Dangers that might ariſe as before, and ſuch bloody times again, that it made them go about to take all poſſible care to prevent it in time to come; and yet you, Mr. *Juſtice*, and *the reſt of your Abhorrers, are angry with them for it, tho you tell us, we muſt have a care of ſuch Times as were in thoſe Days.*

But now to the proper work of the Jury; for all this while it is not certainly known what all this former Diſcourſe meant, or whom he diſcourſed to, therefore now he tells you, it is to acquaint the Jury with the Laws and Statutes of the Kingdom, and therein the Statute of the 13*th.* of this King; which is well done of the Juſtice: And he tells you, *That that Statute provided for the Preſervation of the Kings Perſon and Government.* So then it was not made to preſerve the Duke, nor to joyn him in the Government, that is clear; and if ſo, how ſuitable that Attempt was of his, for doing any ſuch thing as before was hinted, ought to be conſidered. And the Juſtice tells us, *The Statute provides againſt ſetting up of Votes of one or both Houſes of Parliament, to be as effectual as Law.* What the Juſtice meanes by this, unleſs, as I ſaid before, that he meant the Grand Jury ſhould preſent the Parliament, is not known; for ſince the King came in, no *Parliament* ever offered at any ſuch thing; nor can he ſhew any ſuch printed *Pamphlets* as he ſpeaks of, walking about our Steeets, that do aſſert ſuch a Doctrine, unleſs by ſome of the Juſtices contriving. Therefore he muſt mean, he hates all Votes of Parliament, and them too. And I dare ſay, he would not for a World have any Laws repealed neither, tho never ſo deſtructive to the Government; for if he did mean otherwiſe, he would not quarrel with their Votes, which lead to the repealing of ſuch Laws as are deſtructive to

common Good. In the next place, where he ſaith, *They have printed Votes to give check to Laws* : Pray what Laws doth he mean? Or did the Parliament ever fly out of their due Bounds? Or is he angry, becauſe they did repeal the Act *De Heretico comburendo*? Or that the two Houſes had both Voted and paſſed the Bill, for the Repeal of the 35*th* of *Eliz.*? Or angry with the Parliament, for Voting and bringing in Bills for the Repeal of the Laws made againſt the Diſſenters? Sure Sir *W.* who was ſo long in the Penſionary Parliament, muſt needs know, that Votes as well as Debates muſt be in either Houſe, to ſhew their Senſe of what is good for the Nation, and what muſt be had before they can bring it into an Act; and will Sir *W.* quarrel with them for that too? It is really ſomething hard, Sir *W.* that a Man of your Honour ſhould be ſo ſevere upon thoſe Gentlemen, as not only not to give them a good word behind their Backs, but to compare them to *Nero*, and curſed *Cham*, that uncovered his Fathers Nakedneſs; which you do in this Page, unleſs you can better diſcover your own Sence than the words have ſhewed. And ſurely when you conſider again, you will not call it *The ripping open their Mothers Bellies:* (that is, *the Common-Wealth*, as you call it) for the Parliament to paſs Votes to Repeal ſuch Lawes as they think prejudicial to the Life and Preſervation of this *Common-Wealth*, *our Mother*, as you term it.

Now for the good Counſel he gives to the Jury, and for the cleanneſs of his Hands, Uprightneſs of his Mind, being freed from ambitious Thoughts, his not doing any thing to the Hurt and Prejudice of God, the King, or his Country; and all other his Divine Inſinuations, as he in this page expreſſes, I ſhall wholly leave himſelf to himſelf, only deſire him to examine himſelf by what hath been afore hinted; and if he find *Ignoromus* there, I ſhall not be much concerned. But ſince the Juſtice warns us from the Word of God in this page, *againſt Perjury and Subornation*, and pronounces the dreadful Sentence of *Ite Maledicti* ſo often in his Speech againſt ſuch, he would (methinks) have done well the laſt Summer-Seſſions, as is before hinted, not to have hindred thoſe Bills of Indictment when brought there, being preſented and tendred. But it may be ſince he hath ſeen his Errour, and therefore in this Speech is reſolved, both for the time to come, to mend it himſelf, and alſo encourage others; a bleſſed Reformation! if it be really ſo: but if by Craft or Diſſimulation, all this be done to colour what he did before, then the very *Ite maledicti* he pronounces againſt others, may chance to light upon his own *Pate*; but far is the Author from wiſhing ſuch a ſevere Sentence upon the Noble Juſtice, whatever he ſeeks and clandeſtingly wiſhes againſt others.

And

And now after the Juſtice hath read this Lecture of Chriſtianity, he comes in *pag.* 9. to tell the Court and the Jury of the Rarity and excellency of the Thing called *Grand-Juries*, and tells them, *It is the Honour of the Government to have them.* Well then, ſince it is ſo, and that it cannot be denyed, it is a great deal of pitty, that the Juſtice and others of his Coat, have not taken more care to preſerve their Reputation, but have ſuffered not only the *Gazett*, but other ſcandalous Libels to walk about the ſtreets, and defame them, as late times have moſt notoriouſly ſhown. But this (I conceive) came into his Head by the by, a meer Accident in the Juſtice's Speech; for by what goes before, and what follows, it appears plain, he did not intend them any Honour, but only had ſome other meaning, as may be eaſily diſcerned, if we compare the Whole of his Diſcourſe, and what he and the reſt of the Juſtices did ſometime ſince at *Hicks*'s Hall, endeavouring to curtail the *Grand Juries*, and to ſtrike out, and put in whom they pleaſed, when there was a Job to do, at the time when the Lord *Shaftsbury*, Lord *Howard*, Mr. *Whitaker*, and others, were in the Tower. O then what a Speech was made to the Under-Sheriff to alter his *Pannel*! And what Conſcience and Religion was preſſed to have it done, by this very Juſtice! And if the Sheriffe had yielded that point, then the Subornatiou had taken effect, and the Work done upon the innocent Priſoners in the Tower *contra omnes Gentes*.

But becauſe Sir. *W.* is pleaſed to top upon the World with his Loyalty, and *to ſhew it, pretends to extol in this Page the happineſs of the Nation, that the Kings of* England *have by their Prerogative always had the nominating of Sheriffs, by which the Grand Juries are returned*: I ſhall crave leave a little to ſpeak to that point, not that I deny it to be in the King in ſome meaſure, as the Statutes have ſettled it; but the Juſtice miſtakes the Caſe, as will appear, if the thing be well and throughly conſidered, and what this Juſtice aims at, ought alſo to be fully ſearched into: but that I may not ſeem to miſconſtrue the Juſtice, I ſhall ſet down his words in this page, *viz.. Grand Juries have always been eſteemed the Honour of the Government, and the great ſecurity of the Lives and Liberties of the Subjects*; *they are to be* probi & legales homines, *and ſo is a Golden Chain, as well for Ornament as Security: if they ſhould prove otherwiſe, this Chain of Gold would be turned into Fetters of Iron and Braſs, & we ſhould be greater Slaves here in* England *than they are in* Algier. *Our Anceſtors have taken great Care that Grand Juries ſhould be ſuch as they ought to be, and as you may ſee the Statutes made in that Caſe provide, but for all that, it is happy for the People, that the King hath the Nomination of Sheriffs, by*

the Juries are to be returned, it is a Prerogative of great Conſequence, and not to be entruſted into the hands of any Subject or Subjects whatſoever. Now as to his Commendation of the Conſtitution of the Government relating to Juries, as being a ſacred thing, there is no doubt of that, and we hope it will never be in his Power, or in the Power of any Judge, Juſtice, or Magiſtrate in *England* to alter that Fundamental Conſtitution which our wiſe Anceſtors have laid, that make us both a free and a ſafe People; for by that meanes no ambitious or fooliſh Prince, though led away by Court-Flatterers, and pernicious Counſels can hurt the Subject, ſo powerfully as otherwiſe they might do; every Man's Life and Eſtate here by this meanes are ſafe, and cannot be touched or taken from him, but by the Approbation and Conſent of his Peers, and they muſt be of the Vicinage, and *probi & legales Homines*, as the Juſtice obſerves: but becauſe the Juſtice is pleaſed to expreſs himſelf, or rather to flatter the Kings of *England*, that by their Prorogative they have the ſole right of chooſing of Sheriffs, and that it is the happineſs of the Nation that the Subjects do it not. I muſt crave leave to put the Juſtice in mind of the antient Practice in that very caſe of Choice of Sheriffs, and alſo ſhow that in all probability, the whole Body of the County have been as fit to ſee & chuſe who is fit to ſerve the County in the Office of Sheriffs, as Kings, who do but ſee oftentimes with other mens Eyes, and hear with other mens Ears; and oftentimes led by the Noſe of ſome Perſons about them, as either work their own Ends, or the Ends and Intereſt of their Friends, and not the Countries Good: For who knows not but that the old Saying is true in Princes Courts, *Kiſſing goes by favour*. But to anſwer the Juſtice, I do ſay and aver from antient Records, the People of the ſeveral Shires in *England* had the ſole right of chooſing their Sheriffs without the Kings Appointment, Conſent, or Nomination, and that was the Law of the Land; and if it be not now ſo, yet it is but ſome late Statutes that have abridged the Counties of their Choice. And to ſhew that I do not miſtake the Point, I have inſerted a new Coppy of the Record which is by me; and that is, a Statute made in the Confirmation of Antient Right too in the Roll of Parliament, made at *Weſtminſter*, in the 28. *E.* 1. *cap.* 8. The Title of the Statute is this, *viz. The Inhabitants of every County ſhall make choice of their Sheriffs, being not of Fee*, the words are theſe, *viz. The King hath granted unto his People, that they ſhall have the Election of their Sheriffs in every Shire where the Sheriffalty is not of Fee, if they liſt.* To this Statute agree our Law-Books: See *Cook's Inſtitutes*; and this Statute in the ſame Roll, 13*th.* Chapter, is again confirmed and explained, the Statute begins thus, *viz. And for as much as*

Rot. 2. 28. E. 1. An. 1300. *Cook* in Lit. 2*d.* part, 559.

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the King hath granted the Election of Sheriffs to the Commons of the Shire; the King will that they ſhall chooſe ſuch Sheriffs that ſhall not charge them, and that they ſhall not put any Officer in Authority for Rewards or Bribes, and ſuch as ſhall not lodge ſo oft in one place, nor with poor Perſons, or Men of Religion. Indeed after this, in *Edward* the Seconds time, Power was given at the Complaint of the Commons in Parliament, That the Chancellor, Treaſurer, Barons of the Exchequer ſhould appoint the Sheriffs of each County; and how far this laſt abrogates the former Statutes I muſt leave to the judicious Reader. But except the Juſtice can ſhew me ſome other Statute, I cannot ſee how he can make good his Aſſertion of the Right to be in the Kings of *England* by their *Prerogative*, to chooſe Sheriffs, no more than he can make good his own Infallibility: And why he ſhould ſtart ſuch a point with ſo little ground, I cannot imagine, unleſs he was reſolved to put on a *Janus* Face, and intended to row one way when he looked another.

And now for this Gentleman to pretend to exalt the *Prerogative*, and to cry out for that, as he doth, and yet at the ſay time lay ſo many falſe Surmiſes, is ſtrange. But I conceive his Deſign is to deſtroy the Law and the Government; or when he ſpeaks of the *Prerogative* in general, he intends ſome for himſelf; but if he ſhould, that cannot be altogether ſtrange neither, ſince we know very well both now, and heretofore, even in all Ages, Men that are ſet upon their own Luſts and Pleaſures, have been crying up the Kings *Prerogative*, and Damning the Law, only that thereby they might, under Monarchy, exerciſe a greater *Prerogative* over their Fellow-Subjects, without any Account to be given to the Law, than the true King doth over his Subjects: for it oftentimes happens, that Perſons in great Command and Authority under the King, do more enſlave the people than the King ever meant, or intended, and hide all from the King with this Cheat, that they are Loyal; and whoever is not contented with his Domineering, is repreſented to the King by that Flatterer, as the Kings great Enemy. And ſo Kings oft-times both live and die blindfold, never ſeeing or hearing any Thing, much leſs any Complaints, but what the Oppreſſor pleaſes: And that undoubtedly muſt not be much; for it muſt be the Courtier's pollicy, that hath once dipped himſelf in Roguery, both to hide it himſelf, and endeavour to prevent all perſons elſe from diſcovering it. And this is the true and only Reaſon why theſe Loyal Boys hate and cry down Parliaments; for if they once come, the Court-Knaves are undone, every thing then being brought to the Light, and it may be, the King undeceived, and theſe Miſcreants puniſhed.

But

But Sir *W.* to wind up all, now your hand is in for Abhorrences, go through-ſtitch, ſet an Abhorrence on foot for the abhorring of *Parliaments* too, and doubt not but among your Adherers the project will take, and then you and they are ſafe, without the Devil ſhould cheat you, and a *Parliament* come when you leaſt think on't; but do not let him cheat you in the belief that there will be no more: you know the Law ſaith, we ought to have it, and the King hath ſaid we ſhall have *Parliaments*, and that he will Govern according to Law; and remember, if it ſhould be yet ſeven years time before it come, yet it may come too ſoon for your ſtore.

I have but one Word more to the Juſtices, your Aſſociates, who bring up the Rear of your Speech, they being elevated, and wrapp'd up as it were in the third Heaven, thought it not enough for themſelves to be happy, with the hearing of this profound Diſcourſe, but out of their good nature, were deſirous to communicate it to the World; and tho it be ſomething ſtrange, that Charges to Grand Juries ſhould be publiſht in Print, as they ſeem to allow, when they ſay the reaſon why 'twas publiſh't was to prevent Miſrepreſentation, which they had obſerved already from *Janeway*'s Paper; yet 'twas pitty ſuch a Diſcourſe ſhould be hid in that Grand Jury's Breaſt, to whom it was ſpoken, and therefore the Juſtices order the Printing thereof. And who is to draw up the Order but their wiſe Clerk of the *Peace*, who undoubtedly did it, and it may eaſily be proved to be his own, not only from his putting his Name to it, but from its reſembling his former Draught, and Orders about the Conſtables to turn Informers againſt Conventicles. The Order begins thus, *viz.* Ordered by this Court, *That the Charge given in Seſſions by Sir* W. S. *be Printed, and that the Thanks of this Bench be given to Sir* W. S. *for his prudent Care and conſtant Endeavour in the management of Affairs, for the preſervation of the publick Peace, and his Majeſties Government. And this Court doth declare, they will adhere to Sir* W. S. *and ſtand by him.*

Well, be it ſo, that the Thanks be given for his prudent Management, and his conſtant Care for the publick Peace, and his Majeſties Government. But now, how if Sir *W.* ſhould die, or be put out of Commiſſion, which way then muſt his Majeſties Government be preſerved? Truly by this Order, it ſeems as if the very Government would be in danger, if not utterly loſt now. How the preſervation of his *Majeſties* Government is upheld, or can be upheld by this ſingle Juſtice alone, ſeems ſtrange, for they ſeem to put it, as if by his prudent Management of Affairs, the Government was upheld; if ſo, I hope his Majeſty will never part with this Knight, for fear of the worſt. Well, but how comes

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it to pass, that all the rest of the Justices that admire him, have not done the same? What do they cast all the whole burden of the peace and Government upon one poor Knight's Shoulders, and he but a thin Man neither? For Shame to themselves, they should not have attributed all to him: but this shews them as insufficient Men, as well as good natur'd to Sir. *W.* But by their next words, *viz. And this Court doth declare they will adhere to Sir* W. S. *and stand by him*, &c. If Lives and Fortunes had been put too, then there had been ground for the Whigs to abhorred too. What will the Justices set up Sir *W.* to any thing like Royal Maiesty, or to be chief of the Government, that these Gentlemen, called Justices, will both adhere to him, and stand by him? What can they mean, but to devote themselves to his Service, instead of the Kings? And what can they mean by their standing by him, but in a Warlike posture to defend him, when he shall command their Service? nor can any rational Man put any other construction on the words. And since that is the construction, what is this but in an Association of the Justices to set up Sir *W.* instead of the Government, or at least to be one of the chief in it? And when they have brought their Ends about, that Sir *W.* is to be exalted, then I doubt not but their Clerk, Mr. *Adderly*, shall be Secretary to that great Heroe, where we leave them to cares themselves within their own Shadows, until another fit opportunity.

FINIS.